

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

* * *

MATHEW YOUNG,

Case No. 2:23-cv-00974-JAD-EJY

Plaintiff,

V.

VIOLET R. ROSASTA; DARIN F. IMLEY;
JUDGE KIERNY,

Defendants.

ORDER

Pending before the Court is Plaintiff Matthew Young's Civil Rights Complaint under 42 U.S.C. § 1983. ECF Nos. 3-1. Plaintiff, who is incarcerated in Indian Springs, Nevada, did not file an *in forma pauperis* application and did not pay the filing fee required to commence a civil action. Under 28 U.S.C. § 1915(a)(2) and Local Rule LSR 1-2, an inmate seeking to commence a civil action may apply to proceed *in forma pauperis*, which allows the inmate to file the civil action without prepaying the full \$402 filing fee. To apply for *in forma pauperis* status, the inmate must submit all three of the following documents to the Court:

- (1) a completed **Application to Proceed in Forma Pauperis for Inmate**, on this Court's approved form (i.e. pages 1 through 3 with the inmate's two signatures on page 3),
 - (2) a **Financial Certificate** properly signed by both the inmate and a prison or jail official (i.e. page 4 of this Court's approved form), and
 - (3) a copy of the **inmate's prison or jail trust fund account statement for the previous six-month period.**

23 Accordingly, IT IS HEREBY ORDERED that Plaintiff is granted a one-time extension to file
24 a complete application to proceed *in forma pauperis* containing all three of the required documents
25 or, in the alternative, pay the \$402 filing fee for this action on or before **August 31, 2023**. Absent
26 unusual circumstances, the Court will not grant any further extensions of time.

IT IS FURTHER ORDERED that if Plaintiff is unable to file a complete application to proceed *in forma pauperis* with all three required documents or pay the \$402 filing fee on or before

August 31, 2023, the Court will recommend dismissal of this case without prejudice for Plaintiff to file a new case with the Court when Plaintiff is either able to file a fully complete application to proceed *in forma pauperis* or pay the \$402 filing fee. A dismissal without prejudice means Plaintiff does not give up the right to refile the case with the Court, under a new case number, when Plaintiff has all three documents needed to submit with an application to proceed *in forma pauperis*.

IT IS FURTHER ORDERED that the Court will retain Plaintiff's Civil Rights Complaint (ECF No. 3-1), but the Court will not file the Complaint unless and until Plaintiff timely files a complete application to proceed *in forma pauperis* or pays the \$402 filing fee.

IT IS FURTHER ORDERED that the Clerk of Court will mail Plaintiff the approved form application to proceed *in forma pauperis* for inmate, as well as the document entitled information and instructions for filing the same.

Dated this 17th day of July, 2023.

Elayna J. Youchah
ELAYNA J. YOUCAH
UNITED STATES MAGISTRATE JUDGE